

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

BECKLEY DIVISION

IN RE MASSEY ENERGY CO.
SECURITIES LITIGATION

CIVIL ACTION NO. 5:10-cv-00689

ORDER

The Court has reviewed the *Joint Statement of the Parties* (“Joint Statement”) (Document 147), wherein the parties discuss their respective positions regarding modification of the discovery stay previously imposed in this action pursuant to the Court’s Order of September 28, 2011, Granting Plaintiffs’ Motion to Partially Lift the PSLRA Discovery Stay (Document 128). The Court has also reviewed the exhibits attached to the parties’ Joint Statement as well as the Discovery Stay Order.

Upon consideration of the same and for reasons appearing to the Court, the Court does hereby **ORDER** that:

1. The Discovery Stay imposed in this case on September 28, 2011, in the Order Granting Plaintiffs’ Motion to Partially Lift the PSLRA Discovery Stay (Document 128) **SHALL CONTINUE** until the earlier of January 15, 2013, or the conclusion of the Government’s criminal investigation.


2. The Scheduling Conference currently scheduled for July 12, 2012, is **CANCELLED**.

3. All scheduling dates and deadlines are hereby **HELD IN ABEYANCE** with the exception that,

4. Defendants shall file their answer to the pending Consolidated Amended Class Action Complaint for Violation of the Federal Securities Law no later **than July 16, 2012**.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and to any unrepresented party.

ENTER: July 9, 2012


IRENE C. BERGER
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF WEST VIRGINIA